

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

R.A.Jr., (a minor child, by and through his)
Father and next best friend, Richard Lemmel)
Arnold,)
Plaintiff,)
v.) Case No.: 3:06-CV-337-WHA
DEPUTY SHERIFF WALTER LACEY,)
in his official and individual capacity)
Defendant.)

PLAINTIFFS' JURY INSTRUCTION NUMBER 9

PMCIV-FJPI § 1-1.78.3

§ 1-1.78.3. Probable cause, totality of circumstances, prudent officer test

Probable cause exists when, under the totality of the circumstances known to the arresting officers (or within the knowledge of other officers at the scene), a prudent person would believe the suspect had committed a crime.

GIVEN _____

REFUSED _____